REMARKS

Applicants have thoroughly considered the Examiner's remarks in the July 21, 2009 Office action and have amended the application to more clearly set forth aspects of the invention. Claims 1, 2, 6–11, 13, 14, 20–22 and 27–36 are presented in the application for further examination. Claims 1, 6, 14, 22 and 36 have been amended by this Amendment E. Claims 5, 17, 22 and 39 have been canceled by this Amendment E. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claims 1–2, 5–11, 13–14, 17, 20–22, 25 and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 2004/0002972 A1 (hereinafter "Pather"). Applicants respectfully disagree and submit that the cited reference does not disclose each and every element of the claims.

Applicants provide a template-based notifications applications for use in a hosted alerts environment, where the templates relate to a categories specified by content providers. The template parameters define a plurality of events specified by the content provider as relating to the specified category. One of the specified parameters relates to delivery of the notifications at a predetermined time of day.

Amended independent claim 1 incorporates the subject matter of dependent claim 5. Dependent claim 5 is canceled by this Amendment E. As amended, claim 1 is directed to a method of generating notifications in a notifications system, with the notifications system being configured to provide notifications to subscribers via a data communication network. These notifications contain content provided by one or more content providers. The method comprises, among other things:

> receiving a parameter-driven template from a content provider, said template relating to a category specified by the content provider, said template containing one or more parameters specified by the content provider, said parameters defining a plurality of events specified by the content provider and relating to the specified category, each of said events comprising a recurring event specified by the content provider, said parameters relating to a subscription for notifications and specifying a predefined scheduled time for the generation of notifications to occur, **wherein one of the parameters specified by the content provider relates to delivery of the notifications at a predetermined time of day**[.]

The method of amended claim 1 further comprises enabling a notifications application based on the received template, where the notifications application maps the latest recurring event of the specified category to one or more subscribers as a function of the parameters specified by the content provider. Enabling the notifications application based on the received template includes creating an application definition file that describes the notifications application. Amended claim 1 additionally recites executing the notifications application on a recurring basis to generate a notification in accordance with the predefined scheduled time specified by the received parameter-driven template parameters, where the notification is generated based on matching the latest recurring event of the specified category with subscribers of the specified category, and "wherein the generated notification is delivered to the subscribers of the specified category on a recurring basis in accordance with the user-specified predefined scheduled time defined by the received parameter-driven template parameters".

Advantageously, Applicants permit a content provider to provide a parameter-driven template for a specified category of notifications, where one of the parameters specifies the times of day notifications are to be delivered to subscribers. In this manner, events can be received on a recurring basis, while the notifications relating to the events are generated at the predefined times. (*See* Specification, [0039]). For example, a content provider could provide a parameter-driven template for stock price changes. (*See* Specification, [0002]). Since stock price change events may occur very rapidly over a short period of time, the content provide can specify that notification generated should only occur at 9:00 A.M, 10:00 A.M., 11:00 A.M., etc.

Pather describes its invention as a method and system for providing a notification system. (*See* Pather, Abstract; [0006]). Its notification system includes various modular components, such as an event provider, a notification generation engine, and a notification distributor. (Pather, [0008]). With respect to the notification generation engine, Pather states:

> **[0009]** The notification generation engine, as defined by application developers, processes subscriptions and creates notifications based on the various sets of events. Additionally, the engine supports immediate subscriptions (e.g., triggered when new events arrive) or scheduled subscriptions (e.g. triggered on a subscriber defined schedule). Further, the notification engine provides for historical or state-based services.

(Pather, [0009]). The subscription management application provides an interface for subscribers to submit subscriptions to its system. (Pather, [0072]). According to Pather, the

individual submitted subscriptions are treated as parameter data – "[t]his is a foundation of the notification system-programming framework of the present invention". (*See* Pather, [0069]; [0117]). These subscriptions are evaluated by executing a database join between new events that have arrived and a large set of user subscriptions. (*See* Pather, [0117]).

Contrary to the Examiner's arguments, however, Pather does not disclose the elements recited in amended claim 1. The method of amended independent claim 1 recites, among other things, "receiving a parameter-driven template from a content provider". Pather does not disclose receiving a template from a *content provider*, but instead *merely* discloses allowing subscribers to submit subscriptions in a user interface, where the submitted subscriptions are *treated as* parameter data. (*See* Pather, [0072]; [0117]). Its system then attempts to match events with the subscriber-provided subscription by using a database join. (*See* Pather, [0117]). In other words, the system in Pather receives a submitted subscription from a subscriber and treats it as parameter data after it has been submitted, but does *not* disclose receiving a parameter-driven template from a *content provider*. Since the cited portion of Pather does not disclose "receiving a parameter-driven template from a content provider", Pather therefore cannot disclose "said template relating to a category specified by the **content provider**, said template containing one or more parameters specified by the **content provider**, each of said events comprising a recurring event specified by the **content provider**" as recited in amended independent claim 1. Additionally, Pather also cannot disclose "enabling a notifications application based on the **received template** . . . as a function of the parameters specified by the **content provider**, wherein enabling the notifications application based on the **received template** includes creating an application definition file that describes the notifications application" or "executing the notifications application on a recurring basis to generate a notification in accordance with the predefined scheduled time specified by the received parameter-driven template parameters . . . wherein the generated notification is delivered to the subscribers of the specified category on a recurring basis in accordance with the user-specified predefined scheduled time defined by the received parameter-driven template parameters" as recited in amended independent claim 1.

Furthermore, amended claim 1 also recites "wherein one of the parameters specified by the **content provider** relates to delivery of the notifications at a predetermined time of day". Contrary to the Examiner's argument, however, Pather at paragraph [0220]–[0221] does not

disclose these elements. Pather instead discloses scheduling information for a "vacuuming process", where *developers* may specify how frequently old event, notification, and batch header information is *removed* from the system during "vacuuming". (*See* Pather, [0218]–[0221]). It is unclear to Applicants how a *data removal* vacuuming process discloses "one or more parameters specified by the content provider relates to the **delivery** of the notifications at a **predetermined time of day**" as recited in amended claim 1. As such, Pather does not disclose the elements of amended independent claim 1 as argued by the Examiner.

In view of the foregoing, Applicants submit that amended independent claim 1 and its dependent claims 2, 6–11 and 13 are allowable over the cited reference for at least the reasons given above and the rejection of claims 1, 2, 6–11 and 13 under 35 U.S.C. § 102(e) should be withdrawn.

Amended independent claim 14 incorporates the subject matter of dependent claim 17. Dependent claim 17 has been canceled by this Amendment E. As amended, claim 14 is directed to a computer-readable storage medium having a data structure stored thereon, with the data structure defining an application for use in a notifications system. The notifications system is configured to execute the defined application for providing notifications to subscribers via a data communication network, with notifications containing content provided by one or more content providers. The data structure comprises, among other things:

> a user interface template configured to contain information for defining a user interface corresponding to the application for managing the subscription of the user, said interface allowing the user to select a category and allowing the user to specify a predefined scheduled time for the notifications to occur, wherein a subscription is generated for the user from the user interface template, said subscription indicating that the user wants to receive notifications related to the selected category at the predefined time specified by the user;
>
> a scenario template configured to contain information for defining the application, said scenario template having one or more parameters specified by the **content provider** and relating to a subscription for notifications, **wherein one of the parameters specified by the content provider relates to delivery of the notifications at a predetermined time of day**, wherein the scenario template includes a category component defining a plurality of events specified by the **content provider** and relating to a category specified by the **content provider**, for which the notifications are to be generated, each of said events relating to a recurring event specified by the **content provider**;
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> a notification generation component responsive to an event feed for mapping a latest recurring event to one or more subscribers as a function of the parameters specified by the **content provider** and as a function of the subscription of the subscriber, said

notification generation component generating a notification for the recurring event in accordance with the predefined scheduled time specified for notification generation by the received parameter-driven template parameters, wherein the notification is generated based on matching the latest recurring event of the specified category with subscribers of the specified category; and

a delivery component for routing the notification to the subscribers of the specified category related to the event, wherein the notification is routed to the subscribers of the specified category in accordance with the predefined scheduled time specified by the user as defined by the received parameter-driven template parameters.

Similar to amended independent claim 1, Applicants advantageously permit a content provider to provide a parameter-driven template for a specified category of notifications, where one of the parameters specifies the times of day notifications are to be delivered to subscribers. In this manner, events can be received on a recurring basis, while the notifications relating to the events are generated at the predefined times. (*See* Specification, [0039]).

Applicants submit that the cited reference fails to disclose every element of amended independent claim 14 for the same essential reason give above for the allowance of amended independent claim 1. For example, amended independent claim 14 recites, among other things, "a scenario template configured to contain information for defining the application, said scenario template having one or more parameters specified by the **content provider** and relating to a subscription for notifications". Pather does not disclose a scenario template having parameters specified by the **content provider**, but instead discloses a system that allows subscribers to submit subscriptions in a user interface, where the submitted subscriptions are *treated as* parameter data. (*See* Pather, [0072]; [0117]). Since Pather does not disclose templates with one or more parameters specified by a content provider, Pather cannot disclose ". . . wherein the scenario template includes a category component defining a plurality of events specified by the **content provider** and relating to a category specified by the **content provider**, for which the notifications are to be generated, each of said events relating to a recurring event specified by the **content provider** . . ." or ". . . a notification generation component responsive to an event feed for mapping a latest recurring event to one or more subscribers as a function of the parameters specified by the **content provider** and as a function of the subscription of the subscriber . . .". Amended claim 14 also recites "wherein one of the parameters specified by the **content provider** relates to delivery of the notifications at a predetermined time of day". As noted above, Pather at paragraph [0220]–[0221] does not disclose these elements. Pather instead discloses

scheduling information for a "vacuuming process", where *developers* may specify how frequently old event, notification, and batch header information is *removed* from the system during "vacuuming". (*See* Pather, [0218]–[0221]). It remains unclear to Applicants how a *data removal* vacuuming process discloses "one or more parameters specified by the content provider relates to the **delivery** of the notifications at a **predetermined time of day**" as recited in amended claim 14.

In view of the foregoing, Applicants submit that amended independent claim 14 and its dependent claims 20 and 21 are allowable over the cited reference for at least the reasons given above and the rejection of claims 14, 20 and 21 under 35 U.S.C. § 102(e) should be withdrawn.

Amended independent claim 22 incorporates the subject matter of dependent claim 25. Dependent claim 25 is canceled by this Amendment E. As amended, claim 22 is directed to a system configured for generating and delivering notifications to subscribers via a data communication network, with the notifications containing content provided by one or more content providers. The system comprises, among other things:

> a computing device coupled to a data communication network and configured to receive:
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> > a subscription from a subscriber specifying a category for which the subscriber wants to receive notifications of events relating to the specified category;
> >
> > a parameter-driven template from a **content provider** via the data communication network, said template containing information provided by the **content provider** and relating to a subscription for notifications, said template relating to a category specified by the **content provider**, said template containing one or more parameters specified by the **content provider**, said parameters defining a plurality of events specified by the **content provider** and relating to the category, **wherein one of the parameters specified by the content provider relates to delivery of the notifications at a predetermined time of day**, each of said events relating to a recurring event specified by the **content provider**, said parameters relating to a subscription for notifications and specifying a predefined scheduled time for generation of the notifications to occur;
>
> a computer-readable medium storing computer-executable instructions to be executed on the computing device to enable a notifications application based on the template, said notifications application mapping the latest recurring event to one or more subscribers as a function of the parameters specified by the **content provider** on a recurring basis in accordance with the predefined scheduled time defined by the parameter-driven template parameters wherein the generated notification is delivered to the subscribers of the specified categories in accordance with the user-specified

> predefined scheduled time specified by the received parameter-driven template parameters wherein the notification is generated based on matching the latest recurring event of the specified category with subscribers of the specified category, and wherein the generated notification is delivered to the subscribers of the specified in accordance with the user-specified predefined scheduled time defined by the received parameter-driven template parameters.

Similar to amended independent claims 1 and 14, Applicants advantageously permit a content provider to provide a parameter-driven template for a specified category of notifications, where one of the parameters specifies the times of day notifications are to be delivered to subscribers. In this manner, events can be received on a recurring basis, while the notifications relating to the events are generated at the predefined times. (*See* Specification, [0039]).

Applicants submit that the cited reference fails to disclose every element of amended independent claim 22 for the same essential reason give above for the allowance of amended independent claim 1. For example, amended independent claim 22 recites, among other things, "a computing device coupled to a data communication network and configured to receive . . . a parameter-driven **template from a content provider** . . .". Pather does not disclose a parameter-driven template having parameters specified by the **content provider**, but instead discloses a system that allows subscribers to submit subscriptions in a user interface, where the submitted subscriptions are *treated as* parameter data. (*See* Pather, [0072]; [0117]). Since Pather does not disclose templates with one or more parameters specified by a content provider, Pather cannot disclose ". . . said template containing information provided by the **content provider** and relating to a subscription for notifications, said template relating to a category specified by the **content provider**, said template containing one or more parameters specified by the **content provider**, said parameters defining a plurality of events specified by the content provider and relating to the category, . . ." or ". . . a computer-readable medium storing computer-executable instructions to be executed on the computing device to enable a notifications application based on the template, said notifications application mapping the latest recurring event to one or more subscribers as a function of the parameters specified by the **content provider** . . .". Amended claim 22 also recites "wherein one of the parameters specified by the **content provider** relates to delivery of the notifications at a predetermined time of day". As noted above, Pather at paragraph [0220]–[0221] does not disclose these elements. Pather instead discloses scheduling information for a "vacuuming process", where *developers* may specify how frequently old event,

notification, and batch header information is *removed* from the system during "vacuuming". (*See* Pather, [0218]–[0221]). It remains unclear to Applicants how a *data removal* vacuuming process discloses "one or more parameters specified by the content provider relates to the **delivery** of the notifications at a **predetermined time of day**" as recited in amended claim 22.

In view of the foregoing, Applicants submit that amended independent claim 22 and its dependent claims 27–35 are allowable over the cited reference for at least the reasons given above and the rejection of claims 22 and 27–35 under 35 U.S.C. § 102(e) should be withdrawn.

Amended independent claim 36 incorporates the subject matter of dependent claim 39. Dependent claim 39 is canceled by this Amendment E. As amended, claim 36 is directed to a notification system for generating and delivering notifications to subscribers, with the notifications containing content provided by one or more content providers. The system comprises, among other things:

> a computing device coupled to a data communication network, said computing device being configured to **receive a parameter-driven template from a content provider** via the data communication network, said template containing information provided by the **content provider** and relating to a subscription for notifications, said template relating to a category specified by the **content provider**, said template containing one or more parameters specified by the **content provider**, said parameters defining a plurality of events specified by the **content provider** and relating to the category, **wherein one of the parameters specified by the content provider relates to delivery of the notifications at a predetermined time of day**, each of said events relating to a recurring event specified by the **content provider**, said parameters relating to a subscription for notifications and defining a predefined scheduled time for the generation of notifications to occur;
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> a subscription store associated with the computing device, said subscription store being configured to store one or more notification offerings described by an application definition file, said application definition file being generated from the receive parameter-driven template, said application definition file including the predefined scheduled time for the generation of notifications to occur; and
>
> a computer-readable medium storing computer-executable instructions to be executed on the computing device to enable a notifications application to execute on a recurring basis according to the predefined scheduled time for the generation of notifications to occur included in the application definition file, said notifications application delivering the notification to the subscribers in accordance with the user-specified predefined scheduled time included in the application definition file wherein the notifications application maps the latest recurring event of the specified category to one or more subscribers as a function of the parameters specified by the **content provider**.

Similar to amended independent claims 1, 14 and 22, Applicants advantageously permit a content provider to provide a parameter-driven template for a specified category of notifications, where one of the parameters specifies the times of day notifications are to be delivered to subscribers. In this manner, events can be received on a recurring basis, while the notifications relating to the events are generated at the predefined times. (*See* Specification, [0039]).

Applicants submit that the cited reference fails to disclose every element of amended independent claim 36 for the same essential reason give above for the allowance of amended independent claim 1. For example, amended independent claim 36 recites, among other things, a "computing device being configured to **receive a parameter-driven template from a content provider** . . .". Pather does not disclose a parameter-driven template having parameters specified by the **content provider**, but instead discloses a system that allows subscribers to submit subscriptions in a user interface, where the submitted subscriptions are *treated as* parameter data. (*See* Pather, [0072]; [0117]). Since Pather does not disclose templates with one or more parameters specified by a content provider, Pather cannot disclose ". . . said template containing information provided by the content provider and relating to a subscription for notifications, said template relating to a category specified by the content provider, said template containing one or more parameters specified by the content provider, said parameters defining a plurality of events specified by the content provider and relating to the category . . .", a subscription store associated with the computing device, "said subscription store being configured to store one or more notification offerings described by an application definition file, said application definition file being generated from the **received parameter-driven template**, said application definition file including the predefined scheduled time for the generation of notifications to occur . ." or a computer-readable medium storing computer-executable instructions to be executed on the computing device to enable a notifications application to execute on a recurring basis "according to the predefined scheduled time for the generation of notifications to occur included in the application definition file . . . wherein the notifications application maps the latest recurring event of the specified category to one or more subscribers as a function of the parameters specified by the content provider" as recited in amended claim 36. Amended claim 36 also recites "wherein one of the parameters specified by the **content provider** relates to delivery of the notifications at a predetermined time of day". As noted above, Pather at paragraph [0220]–[0221] does not disclose these elements. Pather instead discloses

scheduling information for a "vacuuming process", where *developers* may specify how frequently old event, notification, and batch header information is *removed* from the system during "vacuuming". (*See* Pather, [0218]–[0221]). It remains unclear to Applicants how a *data removal* vacuuming process discloses "one or more parameters specified by the content provider relates to the **delivery** of the notifications at a **predetermined time of day**" as recited in amended claim 36.

In view of the foregoing, Applicants submit that amended independent claim 36 is allowable over the cited reference for at least the reasons given above and the rejection of claim 36 under 35 U.S.C. § 102(e) should be withdrawn.

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested.

Applicants note that this pending application and Pather are co-owned by Microsoft Corporation so that under 35 U.S.C. § 103(c), Pather does not qualify as prior art under 35 U.S.C. § 103(a).

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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